IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THE HON'BLE SRI JUSTICE GOPALAKRISHNA TAMADA

Writ Petition No.7525 of 1998

Dated: 01-05-2007

Between:

1. V. Maheshwar, s/o late V. Venkata Krishnaiah,
   aged about 40 years,
   r/o Chakaraju Vemula,
   Dornipadu Mandal,
   Kurnool District and another.

... Petitioners

and

1. The District Collector,
   Kurnool District,
   Kurnool and another.

... Respondents

ORDER:

This writ petition is filed seeking a *mandamus* to declare the action of first respondent – District Collector in issuing Notification under Section 4(1) of the Land Acquisition Act, 1894 (for short, 'the Act'), which was published in Eenadu Telugu daily newspaper on 28-02-1998, proposing to acquire the lands of petitioners in an extent of Acs.2-55 cents in S.No.156/1B and Acs.3-49 cents in S.No.157/2A in Chakaraju

Vemula, Dornipadu Mandal, Kurnool District and further issuing Declaration under Section 6 of the Act, which was published in Eenadu daily newspaper on 14-03-1998 in respect of the above lands, as illegal and arbitrary and consequently direct respondents to drop the said land acquisition proceedings.

2. Now the learned Assistant Government Pleader on instructions submits that that proposed lands in S.Nos.156/1B and 157/2A admeasuring an extent of Acs.6-04 cents situated in Chakaraju Vemula, Dornipadu Mandal, Kurnool District, are not required for acquisition at present.

3. In the light of the same, no orders need be passed in this writ petition.

4. Accordingly, the writ petition is closed. No costs.

However, it is made clear that if the authorities so choose to acquire the lands in question for any purpose they may do so in accordance with law.

JUSTICE GOPALAKRISHNA TAMADA

Dt.01-05-2007
GLV